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April 10, 2025

VIA ECF

Honorable James R. Cho
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Charles Saldarriaga v. City of New York, et al.,
25-CV-1115 (RPK)(JRC)

Your Honor:

I am a Senior Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney assigned to the defense in the above-referenced matter.¹ I write on behalf of the City of New York and Defendant Sergeant Det. William Planeta to respectfully request an extension of its time to answer or otherwise respond to Plaintiff's Complaint until thirty days after effectuation of service of process on all parties has been entered on the Court's docket. This is the first such request and the undersigned apologizes for its lateness. On April 10, 2025, Plaintiff consented to this request.

By way of background, Plaintiff, who is proceeding *pro se*, alleges, *inter alia*, that he was falsely arrested, maliciously prosecuted, and racially profiled by officers from the New York City Police Department. (See ECF No. 1). Plaintiff names as defendants, the City of New York, Sergeant Det. William Planeta, Det. Eric Bolger, Det. Leonardo Moscoso, and Officer Hossain. The Court's docket entry from April 3, 2025 reflect that summons were returned executed for City on March 25, 2025, and Sergeant Det. William Planeta and Det. Eric Bolger on March 24, 2025, are due to answer on April 15, 2025 and April 14, 2025, respectively. (See ECF No. 6). However,

¹ This case is assigned to Assistant Corporation Counsel Michael Futral, who is presently awaiting admission to the Eastern District of New York and is handling this matter under my supervision. Mr. Futral may be reached directly at (212) 356 – 1643 or by email at mifutral@law.nyc.gov.

according to the Court's docket, summons for Det. Leonardo Moscoso and Officer Hossain were returned unexecuted. On April 8, 2025, this case was assigned to ACC Michael Futral.

There are four reasons for this requested enlargement of time. First, in accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, more time is needed time to investigate the allegations set forth in the Complaint, as many key documents and materials needed to evaluate the claims in Plaintiff's Complaint and properly respond to his allegations are still outstanding. These documents and materials include police body worn cameras; releases from Plaintiff to access his records of the underlying any criminal actions, including police records, that may have been sealed pursuant to New York Criminal Procedure Law § 160.50; and releases for Plaintiff's medical records, to name just a few. Second, more time is also needed in order to determine representation of the defendants. Third, more time is needed due to this case's recent assignment to ACC Mr. Futral on April 8, 2025. Finally, the undersigned respectfully requests the Court to *sua sponte* extend the time for Det. Eric Bolger to answer or otherwise respond to Plaintiff's Complaint in order to conserve resources.

Therefore, the undersigned respectfully requests the Court grant an extension of time to answer or otherwise respond to Plaintiff's Complaint until thirty days after effectuation of service of process on all parties has been entered on the Court's docket.

Thank you for your consideration herein.

Respectfully submitted,

Joseph Zangrilli /s/
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Cc: **VIA ECF & FIRST CLASS MAIL**
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